

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2013- -T

IN RE:	Petition of the Office of Regulatory Staff to)	
	Revoke Certificates of Public Convenience and)	PETITION FOR RULE TO
	Necessity of Certain Motor Carriers For Failure to)	SHOW CAUSE
	Maintain and File Evidence of Insurance)	
)	

The South Carolina Office of Regulatory Staff (“ORS”), by filing this petition, would respectfully show and request of the Public Service Commission of South Carolina (“Commission”):

1. That the Commission is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina; that the Commission is responsible for the regulation of motor vehicle carriers operating for compensation as set forth in S.C. Code Ann. § 58-23-10 et seq. (Supp. 2012); that ORS is charged with the duty to protect the public interest pursuant to S.C. Code Ann. § 58-4-10, et seq. as enacted by 2004 S.C. Acts 175.

2. That the companies listed in Exhibit A are currently operating as “motor vehicle carriers” as defined in S.C. Code Ann. § 58-23-10(4) (Supp. 2012) in that they are incorporated for the purpose of owning, controlling, operating, or managing motor propelled vehicles, not usually operated on or over rails, used in the business of transporting persons or property for compensation over improved public highways in this state.

3. That the companies listed in Exhibit A are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. § 58-23-1010 et seq. (Supp. 2012); further, that these companies have submitted themselves to the jurisdiction of the Commission by their holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A. See Exhibit A, List of Companies Failing to File Required Documents.

4. That the Companies listed in Exhibit A, upon receiving their Certificate of Public Convenience and Necessity, were found to be fit, willing and able to operate as a motor carrier by the Commission; that such authority found the companies were “familiar with all statutes and regulations, including safety regulations, governing for-hire motor carrier operations in South Carolina” and that they “agree to operate in compliance with these statutes and regulations” [10 S.C. Code Ann. Regs. 103-133(4)(a) (2012)]; further, that the companies were “aware of the Commission's insurance requirements and the costs associated therewith” [10 S.C. Code Ann. Regs. 103-133(4)(b) (2012)].

5. That the Commission requires motor carrier applicants to procure and file with the Commission proper proof of insurance and that the insurance “must be kept in full force and effect and failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. § 58-23-910 (Supp. 2012).

6. That the Companies listed in Exhibit A have failed to file proof of insurance as required by S.C. Code Ann. § 58-23-910 (Supp. 2012) and 10 S.C. Code Ann. Regs. 103-171 and/or 103-174 (2012). See Exhibit B, Affidavit of Carole Chauvin.

7. That ORS notified the companies listed in Exhibit A, through certified mail, return receipt requested, of their failure to file the required documents providing evidence of insurance; that despite this notification, the listed companies have continued to fail to comply with the requirements of providing evidence of insurance.

8. That “either a failure to file evidence of insurance or surety bond or failure to keep all insurance or bonds in full force and effect shall be just cause for the Commission, without further evidence or hearing, to suspend its order granting authority or to suspend the certificate or any license issued to the motor carrier.” 10 S.C. Code Ann. Regs. 103-175 (2012); further, that the insurance “must be kept in full force and effect and failure to do so is cause for the revocation of the certificate.” S.C. Code Ann. § 58-23-910 (Supp. 2012).

9. That “the Commission may at any time, after notice and opportunity to be heard, suspend, revoke, alter, or amend any certificate, if it shall be made to appear that the holder has willfully violated or refused to observe orders, rules, or regulations prescribed by the Commission, provisions of

the Motor Vehicle Carrier Law, or any other law of this State regulating motor carriers for hire and applicable to the holder of such certificate, or, if, in the opinion of the Commission, the motor carrier holding a Certificate of Public Convenience and Necessity is not furnishing adequate service or it is no longer compatible with the public interest to continue said certificate in force, or, if in the opinion of the Commission, the motor carrier holding a Certificate of FWA is no longer furnishing adequate service, or said carrier no longer meets the fit, willing, and able criteria..." 10 S.C. Code Ann. Regs. 103-240 (2012).

10. That "the Commission may, after a hearing, order the suspension, revocation, alteration, or amendment of any certificate issued pursuant to Articles 1 through 11 of this chapter, if it is proved that the holder of the certificate willfully made any misrepresentation of a material fact in obtaining his certificate or willfully violated or refused to observe the laws of this State touching motor vehicle carriers or willfully violated any of the terms of his certificate or of the Commission's proper orders, rules or regulations." S.C. Code Ann. § 58-23-320 (Supp. 2012).

11. That the information listed in Exhibit A is the mailing address for each carrier on file with the Commission and ORS and the information listed in Exhibit A was provided by each carrier listed in Exhibit A. See Exhibit A, List of Companies Failing to File Required Documents. See also Exhibit B, Affidavit of Carole Chauvin.

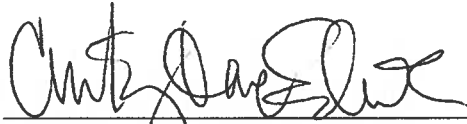
WHEREFORE, the ORS staff prays that the Honorable Commission:

1. Issue an order requiring the carriers listed in Exhibit A to appear before the Commission and show cause why their Certificates of Public Convenience and Necessity should not be revoked by this Commission pursuant to 10 S.C. Code Ann. Regs. 103-240 (2012).

2. Schedule and conduct a formal administrative hearing as soon as practicable to address disputed issues of fact and law regarding the Certificates which ORS seeks to have revoked by the Commission in this action pursuant to 10 S.C. Code Ann. Regs. 103-175 and 103-240 (2012) and S.C. Code Ann. § 58-23-320 (Supp. 2012).

3. Following the formal administrative hearing, immediately rule to revoke the Certificates of those motor carriers listed in Exhibit A in accordance with the authority provided the Commission under S.C. Code Ann. § 58-23-320 (Supp. 2012) and thereafter immediately enter a final Order.

4. For other appropriate action which the Commission may deem necessary.



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September 6, 2013
Columbia, South Carolina

**SEPTEMBER 4, 2013 -- CARRIERS OUT OF COMPLIANCE-
NO INSURANCE - 1ST 2ND QUARTERS 2013**

No.	Docket #	Class	Type of Cert	Name	DBA	Address	City	State	Zip
1	2004-114-T	C	Taxi	American Cab, LLC		719 Seashell Ln	North Myrtle Beach	SC	29582
2	2012-66-T	C	Taxi	Chikezie R. Onwukanjo	Available Taxi Company	6 Raintree Ct	Hopkins	SC	29061
3	1999-209-T	C	Charter Bus	Glynn S. Boles	Boles Bus Lines	826 E Cambridge Ave	Greenwood	SC	29646
4	2011-370-T	C	Taxi	Lakeya Jones and Kerey Green	Blue Moon Transportation	166 E Colpat St	Lincolville	SC	29485
5	2011-44-T	C	Taxi	Boulevard Taxi Cab Express, LLC		35 Grier St	Sumter	SC	29150
6	2003-111-T	C	Charter Bus	Walter Bryant, Jr.	Bryant Tours	8156 N Ridgebrook Dr	North Charleston	SC	29420
7	1998-457-T	C	Taxi	Joseph Lee Cooper		426 3rd Loop Rd Apt G	Florence	SC	29505
8	2010-166-T	C	Taxi	Rajan M. Cannon		921 Clement St Lot 18	Florence	SC	29501
9	12063	E	HHG	Charleston Moving & Storage Co., Inc.		PO Box 71288	Charleston	SC	29415
10	2012-295-T	C	Charter	CONTEGO, LLC	Charleston Private Car	5529 N Rhett Ave	North Charleston	SC	29406
11	2006-237-T	C	Charter	Colonial Limo Services, LLC		218 Soft Stone Dr	Blythewood	SC	29016
12	2011-112-T	C	Charter	Matthew Moore	Cross All Bridges	1373 Trailmore Dr Lot A	Charleston	SC	29407
13	2011-216-T	C	Charter	Kendall Warren	Charlestown Tours and Transportation	412 Beulah Tabernacle Dr	St Stephens	SC	29479
14	2004-300-T	C	Charter Bus	D & J Tour Service, LLC		1241 Holland Rd	Rock Hill	SC	29732
15	2006-20-T	C	Taxi	Billy McBride	Express Taxi Service	PO Box 4494	Columbia	SC	29240
16	2002-311-T	C	Taxi	Fraun C James		3957 Savannah Grove Rd	Effingham	SC	29541
17	2009-436-T	C	Taxi	Glenn A. Temples	Lexington County Taxi	144 Gravedigger Rd	Lexington	SC	29073
18	2002-380-T	C	Charter Bus	M & M Leisure Travel, Inc.		PO Box 181	Pageland	SC	29728
19	2012-27-T	C	Taxi	Katrina Harris Fraser	MEM	5081 County Line Rd	Ravenel	SC	29470
20	2011-146-T	C	Taxi	Affiliated Transportation, LLC	Party Cab	PO Box 11141	Columbia	SC	29211
21	2005-126-T	C	Charter Bus	Willie Wesby	Peach City Tours	785 Coleman Young Rd	Waynesboro	GA	30830
22	2012-229-T	C	Charter	Showtime Car Service, LLC		550 Harbor Cove Ln Apt 1400-G	Charleston	SC	29412
23	2012-190-T	C	Taxi	Abel Hernandez	Taxi Express	107 Jennings St	Saluda	SC	29138
24	2006-30-T	C	Taxi	Tarheel Transportation, LLC		2360 Covington Rd	Myrtle Beach	SC	29579
25	2012-251-T	C	Charter	Top Service Limo, LLC		5465 East Lakeland Dr	North Charleston	SC	29406
26	2012-109-T	C	Taxi	Jamie White		PO Box 13634	Charleston	SC	29422
27	2012-88-T	C	Taxi	Khaled Abdel-Kader	Y & S Transportation	1385 Ashley River Rd 48-C	Charleston	SC	29407

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IN RE: Petition of the Office of Regulatory)
 Staff to Revoke Certificates of)
 Public Convenience and)
 Necessity of Certain Motor Carriers)

AFFIDAVIT OF
Carole Chauvin

The Affiant, after having been first duly sworn, deposes and states as follows:

- 1) My name is Carole Chauvin and I am employed by the Office of Regulatory Staff ("ORS") as a Program Specialist for the Transportation Department.
- 2) My office is located at 1401 Main Street, Suite 900, Columbia, South Carolina, 29201.
- 3) My duties and responsibilities as a Program Specialist for ORS include serving as custodian of records for business filings associated with motor vehicle carriers subject to the jurisdiction of the Public Service Commission ("PSC").
- 4) It is the regular business practice of ORS to maintain certain business records required to be filed by motor vehicle carriers that are subject to the jurisdiction of the PSC.
- 5) As a result of my duties and responsibilities, I have knowledge of the manner in which the books and records are kept and of any books or records which are not complete or which are not on file with ORS.
- 6) On September 4, 2013, I examined the business records on file with ORS.
- 7) As a result of that examination, I attest that the proof of insurance as required by 10 S.C. Code Ann. Regs. 103-171 and/or 103-174 (2012) has not been filed with ORS by the following carriers as of September 4, 2013: (See attached list)

AND FURTHER THE AFFIANT SAYETH NOT.

Carole Chauvin

Carole Chauvin
Program Specialist, Transportation Department
Office of Regulatory Staff
1401 Main Street, Suite 900
Columbia, S.C. 29201

Sworn and subscribed before me
this 4TH day of September, 20 13

[Signature]

Notary Public for South Carolina

My Commission Expires: 2/10/2020